IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.3154 OF 2003

Raj Ramchand Rajpal ...Plaintiff

Versus

K.C.Bokadia & Ors. ...Defendants

.....

Ms.Jiwani i/b M/s.Thakore Jariwala & Associates for Plaintiff.

Mr.S.R.Saudagar for Defendants.

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CORAM: A.M.KHANWILKAR, J.

JULY 18, 2005.

P.C.

1. Counsel for the parties submit that parties have amicably settled the matter out of Court.

2. Consent Terms duly signed by the parties and their Advocates tendered, taken on record and marked ‘X.

3. Parties are personally present in Court

and have accepted the terms stated in the Consent Terms. It is agreed that the Plaintiffs will give time till 30th August 2005 to enable the 1st and 2nd Defendants to make payment in terms of clauses (2) and (4) of the Consent Terms. Defendants 1 and 2, through their Counsel as well as personally, assure to comply with the said undertaking given in the Consent Terms to make payment before 30th August 2005 and future instalments as agreed between the parties thereafter.

4. It is also agreed between the parties that on receipt of entire amount in terms of the Consent Terms, Plaintiffs will withdraw the criminal action pending against Defendant No.2 under Section 138 of the Negotiable Instruments Act. Plaintiffs have given that assurance to the Court, which is accepted. Ordered accordingly.

5. Suit disposed of in terms of the Consent Terms. Refund as per rules.

A.M.KHANWILKAR, J.